



Legislative Bulletin.....October 22, 2007

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Summary of the Bill Under Consideration Today:

Total Number of New Government Programs: At least 9

Total Cost of Discretionary Authorizations: \$96 million in FY 2008 and \$1.26 billion of the FY 2008 – FY 2012 period.

Effect on Revenue: \$0

Total Change in Mandatory Spending: 0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 13

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

H.R. 189 — Paterson Great Falls National Historical Park Act of 2007 (Pascrell, D-NJ)

Order of Business: The bill is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 189 would establish Paterson Great Falls National Historical Park on 109 acres of land in Paterson, New Jersey.

The park would be administered and managed by the Secretary of the Interior, through the National Park Service. The Secretary would be authorized to enter into cooperative agreements with, and make payments to, the owners of properties of natural, historical, or cultural significance in order to mark, interpret, restore, and provide technical any such property. The bill would also stipulate that any funds spent for such a purpose must be matched. The Secretary would be authorized to accept donations of property, goods, or services to carryout this section.

H.R. 189 would establish the Paterson Great Falls National Historical Park Commission to assist in development and management of the park. The bill would also require the Secretary to complete a study regarding the preservation and interpretation of Hinchliffe Stadium as listed on the National Register of Historic Places.

H.R. 189 would authorize the appropriation of such funds as necessary for the establishment of the park.

Additional Information: Paterson, New Jersey, was designed by Alexander Hamilton's Society of Useful Manufacturers in 1792 and became the first planned industrial town in the nation. Using the power generated by a series of mills at the foot of the Great Falls of the Passaic, the city quickly grew to include a large variety of industrial manufacturing. Near the turn of the 20th Century, Paterson became the largest producer of silk in the United States and earned the nickname "Silk City." Since the height of the industrial revolution Paterson has suffered a drastic economic downturn. As part of a revitalization strategy, the city has sought state and federal funds for economic development.

In 2001, Congress passed a bill requiring the National Park Service (NPS) to conduct a study of the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System. The bill passed through the natural resources committee despite the testimony of John G. Parson, Associate Regional Director of Lands, Resources, and Planning for the Department of the Interior. During his testimony on July 17, 2001, Parson said of the proposed study, "We are concerned that such a study would serve to divert the City of Paterson and the National Park Service from very real opportunities... opportunities that have yet to be fully realized." Despite the department's concern, the study was requested.

In 2006 the NPS study, which cost between \$250,000 and \$300,000 to conduct, was released. In the report the NPS concluded that "the Great Falls Historic District meets the criterion for national significance, **but does not meet criteria for suitability, feasibility, or need for NPS management.**" Despite the objections of the NPS, H.R. 189 was pushed through the Natural Resources Committee. Not only would the legislation defy the NPS recommendation and place 109 acres under NPS management, it would include language that would require the Secretary to undertake economic development projects for dilapidated areas of Paterson that would now be considered "historic." According to CBO, the legislation would cost \$22 million over five years for the NPS to "restore and preserve historic structures, provide technical assistance to landowners, and create interpretive programs and materials such as signs and wayside exhibits."

Note: During the Committee hearings regarding H.R. 189, Speaker Pelosi's Chief of Staff and Paterson native, John Lawrence sat in attendance and received recognition from the Chairman. At one point during the proceedings Chairman Rahall said, "there is another distinguished visitor present who happens to be the Chief of Staff to the Speaker of the House of Representatives, Mr. John Lawrence, who must call this his hometown, I believe, and has been back there nodding very strongly 'yes' to everything that the gentleman from New Jersey has been saying."

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 189 would authorize the creation of a new national park even though the NPS' own feasibility study states that the area does not meet the criteria to become a national park. Further, some conservatives might be concerned that H.R. 189 has the effect of providing federal funds into local economic development projects for one small area.

Committee Action: H.R. 189 was introduced on January 4, 2007, and referred to the Committee on Natural Resources. The bill was then referred to the National Parks, Forests, and Public Lands, which held a hearing on March 29, 2007. On June 28, 2007, a full committee mark-up was held and the bill reported, as amended, by voice vote.

Cost to Taxpayers: According to CBO, H.R. 189 would likely require the appropriation of \$1 million in FY 2008 and \$22 million over the FY 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, it creates a new national park under the control and management of the federal government.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: The Natural Resources Committee, in House Report [110 – 130](#), cites constitutional authority in Article I, section 8, but does not cite a specific clause. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 830 — Denali National Park and Alaska Railroad Land Exchange Act of 2007 (Young, R-AK)

Order of Business: H.R. 830 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 830 would allow the Secretary of Interior to exchange up to 25 acres of federal land in the Denali Wilderness with up to 25 acres of non-federal adjacent land owned by the Alaska Railroad. The bill would require that any costs associated with the transfer would be paid by the Alaska Railroad. The bill would also stipulate that any new federal land would become a part of the [Denali Wilderness](#).

Committee Action: H.R. 830 was introduced on February 5, 2007, and referred to the Committee on Natural Resources, which held a mark-up and reported the bill on October 10, 2007.

Cost to Taxpayers: According to CBO, H.R. 830 would have no significant impact on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 2197 — Hopewell Culture National Historical Park Boundary Adjustment Act (*Space, D-OH*)

Order of Business: H.R. 2197 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 2197 would authorize the Secretary of Interior to purchase private land from willing sellers to expand the boundaries of the [Hopewell Culture National Historical Park](#).

Committee Action: H.R. 2197 was introduced on May 7, 2007, and referred to the Committee on Natural Resources, which held a mark-up and reported the bill on October 10, 2007.

Cost to Taxpayers: According to CBO, H.R. 2197 likely result in the purchase of 250 acres of private land from the Spruce Hill Works site and about 70 acres at the Seip Earthworks sites. CBO estimates that the purchase of these additional acres would require the appropriation of about \$1 million over the 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 783 — Mesa Verde National Park Boundary Expansion Act of 2007 (*Salazar, D-CO*)

Order of Business: H.R. 783 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 783 would authorize such sums for the Secretary of Interior to purchase roughly 360 acres of land to expand the boundaries of the [Mesa Verde National Park](#) in Colorado.

Committee Action: H.R. 783 was introduced on January 31, 2007, and referred to the Committee on Natural Resources, which held a mark-up and reported the bill on October 10, 2007.

Cost to Taxpayers: According to CBO, H.R. 783 would likely require the appropriation of \$2 million in FY 2008 and \$12 million over the FY 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it would allow the Nation Park Service to acquire and manage new lands.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 2094 — To provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, and for other purposes (Moore, D-KS)

Order of Business: H.R. 2094 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 2094 would expand the powers of the [Dwight D. Eisenhower Memorial Commission](#), which was created in the Department of Defense Appropriations Act of 2000 to plan and create a monument to Dwight D. Eisenhower, and authorize “such funds” for carrying out the next phase of the project.

Specifically, the bill would allow the commission to enter into contracts and hire staff without regard to competitive service requirements, hire an architect, obtain part time services and accept volunteer services for the creation and construction of the Dwight D. Eisenhower Memorial in Washington, DC.

Committee Action: H.R. 2094 was introduced on January 31, 2007, and referred to the Committee on Natural Resources, which held a mark-up and reported the bill on October 10, 2007.

Cost to Taxpayers: According to CBO, H.R. 2094 would likely require the appropriation of \$2 million in FY 2008 and \$10 million over the FY 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 523 — Douglas County, Washington, PUD Conveyance Act (Hastings, R-WA)

Order of Business: H.R. 523 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 523 would allow the Secretary of Interior to convey 622 acres of public land that is currently managed by the Bureau of Land Management (BLM) to the Public Utility District No. 1 of Douglas County, Washington (PUD), at a fair market price.

H.R. 523 would require that proceeds from the sale of such land be deposited into the Federal Land Deposit to be used by the \Secretary for future land purchases.

Additional Information: According to [PUD's website](#):

Douglas County PUD is one of more than 2,000 public power systems providing power on a not-for-profit basis in the United States. Not-for-profit means power is provided at the cost of producing and delivering that power. There are no stockholders expecting dividends from the power rates. If you are a resident of Douglas County, you control the PUD by electing the Commissioners who set policies and a manager to direct the operation of the utility. This provides local control over the utility and responsiveness to community needs. That means that electric utility revenues stay here, where they are invested in utility assets to provide needed service and hold prices down. In addition to providing you with reliable service at low rates, we at your Douglas County PUD help business and residential customers in our community prosper.

Committee Action: H.R. 523 was introduced on January 17, 2007, and referred to the Committee on Natural Resources, which held a mark-up and reported the bill on October 10, 2007.

Cost to Taxpayers: According to CBO, H.R. 523 would not authorize any spending.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 767 — Refuge Ecology Protection, Assistance, and Immediate Response Act (*Kind, D-WI*)

Order of Business: H.R. 767 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 767 would authorize the Secretary of Interior, working through the Fish and Wildlife Service, to create a grant program and take additional actions to combat evasive, non-native animal species that are perceived to threaten fish and wildlife.

The bill would authorize the creation of that Refuge Ecology Protection, Assistance, & Immediate Response (REPAIR) Grant Program in order to offer grants to control invasive, non-native fish and wildlife species.

The bill would authorize the Department of the Interior to provide financial assistance for one year to state or local agencies or non-governmental entities to immediately respond to outbreaks of non-native invasive species.

Finally the bill would require the Secretary to create and manage a cooperative volunteer program, for individual volunteers and civic organizations to monitor and control harmful non-native species.

H.R. 767 would authorize “such sums” as necessary for the Secretary to carry out the new programs.

Additional Information: The [National Wildlife Refuge System](#) oversees and manages 548 wildlife refuges and more than 36,000 waterfowl production areas across the country. According to findings listed in the bill, there are more than 675 harmful non-native species across eight million acres of the National Wildlife Refuge land conservation system. The bill also states that,

“the cost of the backlog of harmful nonnative species control projects that need to be carried out in the National Wildlife Refuge System is over \$250,000,000, and the failure to carry out such projects threatens the ability of the System to fulfill its basic mission.”

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 767 would authorize “such sums” to create a new federal grant program to control invasive species without a CBO cost estimate.

Committee Action: H.R. 523 was introduced on January 31, 2007, and referred to the Committee on Natural Resources, which referred the bill to the Subcommittee on Fisheries, Wildlife, and Oceans. On June 26, 2007, a subcommittee mark-up was held and the bill was referred to the full committee by voice vote. On October 10, 2007, a mark-up was held and the full committee reported the bill on October 10, 2007.

Cost to Taxpayers: A CBO score for H.R. 767 is not currently available. However, the legislation would authorize “such sums” to carry out the new programs.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it creates a new government grant program to combat invasive, non-native fish and wildlife species.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 1205 — Coral Reef Conservation Amendments Act of 2007 **(*Faleomavaega, D-AS*)**

Order of Business: H.R. 1205 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 1205 would authorize \$201 million over the FY 2008 and FY 2012 period to expand and reauthorize the Coral Reef Conservation Act of 2000, which provides awards and grants to entities that engage in coral reef conservation, through 2010.

The bill would authorize funding for the administrator of the National Oceanic and Atmospheric Administration (NOAA) reduce and prevent injury to coral reefs and coral ecosystems from vessel impact.

The bill would also authorize funds for the administrator to expand grant programs, create an inventory of all vessel groundings, identify coral reefs, identify damage reduction tactics, and make agreements to carry out a coral reef action strategy.

H.R. 1205 would establish the United States Coral Reef Task Force to coordinate U.S. reef protection strategies with other countries. The bill would also authorize appropriations to provide funds to administer a marine science facility at the American Samoa Community College and to the University of Guam for coral reef research and protection.

Additional Information: According to NOAA, the Coral Reef Conservation Act (CRCA) of 2000 “provided NOAA with additional authority to undertake a number of activities to understand, manage and protect coral reef ecosystems by authorizing five major.”

The five major activities are as follows:

- Draft and submit to Congress a National Coral Reef Action Strategy to provide goals and implementation plans for coral reef protection.
- Allow matching grants for coral reef protection programs.
- Create and maintain the Coral Reef Conservation Fund to public-private partnerships reduce damage to coral reefs.
- Implement a national program to preserve coral reefs.
- Provide state and local grants to fight coral reef degradation.

Committee Action: H.R. 1205 was introduced on January 31, 2007, and referred to the Committee on Natural Resources, which

Cost to Taxpayers: According to CBO, H.R. 1205 likely require the appropriation of \$37 million in FY 2008 and \$201 million over the FY 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it creates a new government grant programs to protect coral reefs.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 1462 — Platte River Recovery Implementation Program and Pathfinder Modification Authorization Act (*Udall, D-CO*)

Order of Business: H.R. 1462 is expected to be considered on Monday, October 22, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 1462 would authorize the Secretary of Interior, through the Commissioner of Reclamation and in partnership with the States, to implement the Platte River Recovery Implementation Program for threatened and endangered species in the Central and Lower Platte River Basin without creating Federal water rights or requiring the grant of water rights to Federal entities.

The bill would authorize \$75 million through FY 2012 and an additional \$108 million through 2020 for the Secretary to coordinate with Nebraska, Wyoming, and Colorado to implement the the Platte River Recovery Implementation Program. The secretary would be authorized to carry out any projects or activities that are designated for implementation during the Program's first 13 years, acquire interests in land, water, and facilities from willing sellers, transfer acquired interests; and accept or provide grants.

The bill would also authorize the Secretary to modify the Pathfinder Dam and Reservoir in Wyoming. The state of Wyoming would be responsible to pay all costs for dam modification.

Committee Action: H.R. 1462 was introduced on March 9, 2007, and referred to the Committee on Natural Resources, which referred the bill the Subcommittee on Water and Power. On June 12, 2007, a subcommittee mark-up was held and the bill was referred to the full committee by voice vote. On October 10, 2007, a mark-up was held and the full committee reported the bill on October 10, 2007.

Cost to Taxpayers: According to CBO, H.R. 1462 likely require the appropriation of \$12 million in FY 2008 and \$75 million over the FY 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it creates a new federal government preservation program for the Platte River Recovery program.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 1337 — To provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District (Cole, R-OK)

Order of Business: The bill is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1337, as amended, would authorize the appropriation of \$900,000 for the Bureau of Reclamation (BOR) to conduct a three year feasibility study of possible alternatives to enhance the water supplies of the Central Oklahoma Master Conservatory District.

Additional Information: According to findings listed in the bill, as introduced, and later removed by committee amendment, Thunderbird Lake, in Central Oklahoma, which is managed by the Central Oklahoma Master Conservancy District, was created by the construction of Norman Dam in 1965. The lake supplies the municipal water to the cities of Norman, Midwest City, and Del City, Oklahoma. A 2005 study, conducted by the BOR, determined that the water supply in the area would need to be increase in order to support the growing population, but said that a feasibility study would need to be conducted to determine the proper method of increasing the water supply. An identical Senate bill, S. 175, was introduced and passed by voice vote in the 110th Congress.

As introduced, H.R. 1337 would have authorized \$100,000 for a one-year feasibility study. When the bill was amended in committee, however, its authorization was expanded.

RSC Bonus Fact: This bill was defeated on suspension earlier this year by Democratic Members retaliating against Republicans for defeating similar legislation.

Committee Action: H.R. 1337 was introduced on March 6, 2007, and referred to the Committee on Natural Resources' Subcommittee on Water and Power, which held a mark up on April 19, 2007 and report the bill to the full committee by unanimous consent. On June 28, 2007, H.R. 1337 was reported, as amended, by voice vote.

Cost to Taxpayers: According to CBO, H.R. 1337 would authorize \$300,000 in FY 2008 and \$900,000 over the FY 2008-FY 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. A committee report for an identical Senate bill (S. 175, Senate Report 110 – 111), does not cite any constitutional authority.

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H.R. 813 — Santa Ana River Water Supply Enhancement Act of 2007 (Miller, R-CA)

Order of Business: The bill is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 813 would authorize up to \$20 million for the Secretary of the Interior to participate in the design, planning, and construction of natural treatment systems and wetlands for the flows of the Santa Ana River, California; up to \$40 million to construct regional brine lines to export the salinity imported from the Colorado River to the Pacific Ocean; and up to \$50 million to construct the Lower Chino Dairy Area desalination demonstration and reclamation project. The federal government's share would not be the lesser of 25 percent of the total cost of the projects or the amount above.

The bill would also authorize \$2 million annually for the creation of a center for technological advancement of membrane technology and education located in Orange County, California. The center will be created for the purpose of providing assistance in the development and advancement of membrane technologies and educational support of membrane produced water supplies.

Committee Action: H.R. 813 was introduced on February 5, 2007, and referred to the Committee on Natural Resources. The bill was then referred to the Subcommittee on Water and Power, which took no further action.

Cost to Taxpayers: A CBO score for H.R. 813 is currently unavailable. However, H.R. 813 would authorize up to \$120 million, subject to appropriation.

Does the Bill Expand the Size and Scope of the Federal Government?: It creates three new water reuse and reclamation projects in Orange County, California

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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H.R. 1803— San Diego Water Storage and Efficiency Act of 2007 (Hunter, R-CA)

Order of Business: The bill is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1803 would authorize the Secretary of the Interior, in cooperation with City of San Diego, to a study to determine the feasibility of constructing a four reservoir intertie system to improve water storage opportunities, water supply reliability, and water yield of the existing non-Federal water storage system.

The bill would authorize \$3 million for the federal share of the project and sunsets the Secretary's authority to disperse funds under the bill in ten years.

Committee Action H.R. 1803 was introduced on February 5, 2007, and referred to the Committee on Natural Resources. The bill was then referred to the Subcommittee on Water and Power, which took no further action.

Cost to Taxpayers: A CBO score for H.R. 1803 is currently unavailable. However, H.R. 813 would authorize up to \$3 million, subject to appropriation.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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H.R. 1855 — Madera Water Supply Enhancement Act (Radanovich, R-CA)

Order of Business: The bill is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1855 would authorize \$22.5 million for the Secretary of the Interior to participate in the design, planning, and construction of the Madera Water Supply Enhancement Project, a groundwater bank on the 13,646 acre c, owned, operated, maintained, and managed by the Water District.

The bill would authorize the lesser of \$22.5 or 25 per cent of the project's cost.

Committee Action: H.R. 1855 was introduced on March 30, 2007, and referred to the Committee on Natural Resources. The bill was then referred to the Subcommittee on Water and Power, which took no further action.

Cost to Taxpayers: A CBO score for H.R. 1855 is currently unavailable. However, H.R. 813 would authorize up to \$22.5 million, subject to appropriation.

Does the Bill Expand the Size and Scope of the Federal Government?: It creates a new water reuse and reclamation projects in Madera Ranch in Madera, California.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.Res. ____— Supporting the goals of National Bullying Prevention Awareness Week (Tiahrt, R-KS)

Order of Business: H.Res.____ is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res.____ would resolve that the House of Representatives:

- “recognizes that bullying is a national concern;
- “recognizes that bullying unhealthy for our families and communities;
- “commends the efforts of national and community organizations, schools, parents, recreation programs, and religious institutions for their efforts to promote greater public awareness about bullying and prevention activities; and
- “supports the goals of National Bullying Prevention Awareness Week.”

The resolution lists several findings, including:

- “bullying among school-aged children is aggressive behavior that is intentional, often involves an imbalance of power or strength, and is typically repeated over time;
- “by some estimates, millions of students are bullied each year;
- “bullying can take many forms, including hitting or punching; teasing or name-calling; intimidating through gestures or social exclusion; and sending insulting, threatening, or offensive messages or images via e-mail, text, telephone, or other electronic means;
- “there is no single cause of bullying among school-aged children; rather, individual, familial, peer, school, and community factors may place a child or youth at risk of bullying his or her peers;
- “a majority of parents, students, and educators report that bullying and harassment are issues of major concern;

- “school-aged children who are bullied are more likely than other children to be depressed, lonely, or anxious; have low self-esteem; be absent from school; have more physical complaints, such as headaches and stomach aches; and think about suicide;
- “bullying others may be an early sign of other serious antisocial or violent behavior or both;
- “school-aged children who frequently bully their peers are more likely than their peers to get into frequent fights, be injured in a fight, vandalize or steal property, drink alcohol, smoke, be truant from school, drop out of school, or carry a weapon;
- “harassment and bullying have been linked to 75 percent of school shooting incidents, including the fatal shootings at Columbine High School in Colorado, Santana High School in California, and the Virginia Polytechnic Institute and State University (Virginia Tech);
- “the stresses of being bullied or harassed can interfere with student’s engagement and learning in school and may have a negative impact on student learning; and
- “research indicates that bullying at school can be significantly reduced through comprehensive, school-wide programs designed to change norms for behavior.”

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. ____ — Third Higher Education Act Extension Act of 2007 (*Miller, D-CA*)

Order of Business: The bill is scheduled for consideration on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. ____ would extend the authorization (at current, FY04 levels) for the Higher Education Act of 1965 (HEA) for six months. In the 109th Congress, the House passed a short-term extension through June 30, 2007. On June 6, 2007, the House passed an extension through October 31, 2007, by voice vote. Current law allows for flexibility in the authorization depending upon amendments to HEA enacted during FY05 or FY06.

Committee Action: H.R. ____ is expected to be introduced on October 22, 2007.

Cost to Taxpayers: A CBO score for H.R. ____ is not available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Res. 472 — Congratulating and commending the Wichita State University women’s bowling team for winning the 2007 United States Bowling Congress Intercollegiate Bowling National Championship (Tiahrt, R-KS)

Order of Business: H.Res. 472 is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 472 would resolve that the House of Representatives:

- “congratulates and commends the Wichita State University (WSU) women’s bowling team for winning the 2007 United States Bowling Congress (USBC) Intercollegiate Bowling National Championship Tournament;
- “recognizes the significant achievements of the players, coaches, students, alumni, and support staff whose dedication and hard work helped the WSU women’s bowling team win the national championship; and
- “respectfully requests the Clerk of the House of Representatives to transmit enrolled copies of this resolution to the following individuals for appropriate display; Donald L. Beggs, President of Wichita State University; Gordon Vadakin, Head Coach; Mark Lewis, Women’s Coach; and Kristal Scott, Assistant Women’s Coach.”

The resolution lists several findings, including:

- “On April 21, 2007, the Wichita State University (WSU) women’s bowling team won the 2007 United States Bowling Congress (USBC) Intercollegiate Bowling National Championship Tournament in Wichita, Kansas;
- “WSU, on the final day of the tournament, defeated Central Florida University 4 games to 1 in the semi-finals and McKendree College (Illinois) 2 games to 0 in the finals to win the national championship;
- “the WSU women’s bowling team has won eight Intercollegiate Bowling National Championships (1975, 1977, 1978, 1986, 1990, 1994, 2005, and 2007) and has advanced to the national tournament a record 31 times;
- “Head Coach Gordon Vadakin has coached the WSU bowling team since 1978, leading them to the Intercollegiate Bowling National Championship Tournament 29 times and has coached the team to six national titles;

- “Women’s Coach Mark Lewis and Assistant Women’s Coach Kristal Scott directly coached the 2007 WSU women’s bowling team to the national championship in Wichita, Kansas; and
- “both Head Coach Gordon Vadakin and Women’s Coach Mark Lewis are members of the USBC Hall of Fame.”

Committee Action: H.Res. 472 was introduced on June 7, 2007, and referred to the Committee on Education and Labor, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

RSC Staff Contact: Sarah Makin; sarah.makin@mail.house.gov; 202-226-0718.

H.R. 3564 — Regulatory Improvement Act of 2007 (Cannon, R-UT)

Order of Business: H.R. 3564 scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3564 would amend title 5 of the United States Code to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011. H.R. 3564 authorizes \$1,000,000 for fiscal year 2008, \$3,300,000 for fiscal year 2009, \$3,400,000 for fiscal year 2010, and \$3,500,000 for fiscal year 2011. In addition, H.R. 3564 stipulates that no more than \$2,500 may be made available in each fiscal year for official representation and entertainment expenses for foreign dignitaries.

Additional Information: The Administrative Conference of the U.S. is an independent advisory agency that assists the federal government in developing and implementing regulations.

According to the Sponsor’s office: “Congress established the Administrative Conference of the United States (“ACUS,” or the “Conference”) in 1964. ACUS was designed to be a relatively small, public/private think tank, with membership drawn from both the public and private sectors and from across the ideological spectrum. Over the years, ACUS’ members included future Supreme Court justices, high-ranking administration officials and civil servants, and many leading administrative law scholars. For approximately 30 years after its establishment, the Conference provided a unique source of innovations and recommendations for the improvement of federal administrative practices. Among the improvements the Conference fostered were innovations in negotiated rulemaking, lower-cost dispute resolution, the facilitation of judicial review of agency decisions, and the fostering of electronic rulemaking procedures.

In these ways and others, ACUS helped to focus attention on the need for the federal government to be more efficient, smaller and more accountable, and to identify solutions to that end. ACUS did so, moreover, at an exceptionally high cost-benefit ratio. For example, just one agency, the Social Security Administration, estimated that ACUS' recommendation to change that agency's appeals process produced about \$85 million in savings. That one act accounted for savings that were more than 47 times the size of ACUS' last yearly appropriation of \$1.8 million.

With ACUS' track record as background, former White House Counsel C. Boyden Gray once observed that, "as long as there is a need for regulatory reform, there is a need for something like the Administrative Conference."

Committee Action: H.R. 3564 was introduced on September 18, 2007, and referred to the Committee on Judiciary. The Subcommittee on Commercial and Administrative Law held a mark-up of the bill on September 19, 2007, and on October 10, 2007, the full Committee held a markup and reported the bill by voice vote.

Cost to Taxpayers: According to a CBO estimate, H.R. 3564 would authorize \$11 million in over the FY 2008-2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: Committee Report 110 – 390 cites Article I, Section 8, Clause 14 of the Constitution, which gives Congress the authority to "make Rules for the Government and Regulation of the land and naval Forces".

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**S.Con.Res. 45 — A concurrent resolution commending the Ed Block Courage Award Foundation for its work in aiding children and families affected by child abuse, and designating November 2007 as National Courage Month
(Cardin, D-MD)**

Order of Business: S.Con.Res. 45 is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the resolution.

Summary: S.Con.Res. 45 would resolve that the House of Representatives:

- "National Courage Month provides an opportunity to educate the people of the United States about the positive role that professional athletes can play as inspirations for America's youth; and

- “the Ed Block Courage Award Foundation should be recognized for its outstanding contributions toward helping those affected by child abuse.”

The resolution lists the following findings:

- “the Ed Block Courage Award was established by Sam Lamantia in 1978 in honor of Ed Block, the head athletic trainer of the Baltimore Colts and a respected humanitarian;
- “each year in Baltimore, Maryland, the Foundation honors recipients from the National Football League who have been chosen by their teammates as exemplifying sportsmanship and courage;
- “the Ed Block Courage Award has become one of the most esteemed honors bestowed upon players in the NFL;
- “the Ed Block Courage Award Foundation has grown from a Baltimore-based local charity to the Courage House National Support Network for Kids operated in partnership with 17 NFL teams in their respective cities; and
- “Courage Houses are facilities that provide support and care for abused children and their families in these 17 locations across the country: Baltimore, Maryland, Pittsburgh, Pennsylvania, Chicago, Illinois, Miami, Florida, Detroit, Michigan, Dallas, Texas, Westchester County, New York, Oakland, California, Seattle, Washington, Charlotte, North Carolina, Cleveland, Ohio, Atlanta, Georgia, St. Louis, Missouri, Indianapolis, Indiana, Buffalo, New York, San Francisco, California, and Minneapolis, Minnesota.”

Committee Action: S.Con.Res. 45 was introduced on September 17, 2007, and referred to the Committee on Judiciary, which ordered the bill to be reported favorably without amendment. On October 3, 2007, the Senate agreed to the resolution without amendment and with a preamble by Unanimous Consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

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H.Res. 721 — Recognizing the 60th anniversary of the Mendez v. Westminster decision which ended segregation of Mexican and Mexican American students in California schools, and for other purposes (*Gonzalez, D-TX*)

Order of Business: H.Res. 721 is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 721 would resolve that the House of Representatives:

- “recognizes the 60th anniversary of the Mendez v. Westminster decision which ended segregation of Mexican and Mexican American students in California schools;
- “honors the Mendez family and congratulates Sylvia Mendez for her continued efforts to keep alive the importance of this case and the impact it had on her future; and
- “encourages the continued fight against school segregation and the education of the people of the United States of the civil right implications of the Mendez v. Westminster case.”

The resolution lists several findings, including:

- “Mendez v. Westminster was a 1947 Federal court case that challenged racial segregation in California schools;
- “in its ruling, the United States Court of Appeals for the Ninth Circuit, in an en banc decision, held that the segregation of Mexican and Mexican American students into separate ‘Mexican schools’ was unconstitutional;
- “on March 2, 1945, a group of Mexican-American fathers (Thomas Estrada, William Guzman, Frank Palomino, and Lorenzo Ramirez), led by Gonzalo Mendez on behalf of his daughter Sylvia, challenged the practice of school segregation in the U.S. District Court in Los Angeles;
- “the fathers claimed that their children, along with 5,000 other children of ‘Mexican and Latin descent’, were victims of unconstitutional discrimination by being forced to attend separate ‘Mexican’ schools in the Westminster, Garden Grove, Santa Ana, and El Modena school districts of Orange County;
- “Judge Paul J. McCormick ruled in favor of Mendez and his co-plaintiffs on February 18, 1946;
- “the Westminster school district appealed the decision of the district court;
- “when the district appealed Judge McCormick’s decision, several organizations joined the appellate case as amicus curiae, including the NAACP, represented by Thurgood Marshall;
- “more than a year later, on April 14, 1947, the Ninth Circuit Court of Appeal affirmed the district court’s ruling;
- “the Ninth Circuit ruled only on the narrow grounds that, although California law provided for segregation of students, it only did so for ‘children of Chinese, Japanese or Mongolian parentage’ and did not provide for ‘the segregation of school children because of their Mexican blood,’ therefore it was unlawful to segregate the Mexican children;
- “later in 1947, California Governor and future Chief Justice of the United States Earl Warren signed into law a repeal of the last remaining school segregation statutes in the California Education Code and thus ended ‘separate but equal’ in California schools and with it school segregation;
- “seven years later, Brown v. Board of Education held ‘separate but equal’ schools to be unconstitutional, ending school segregation throughout the United States; and
- “on April 14, 2007, the Mendez family celebrated the 60th anniversary of the Mendez v. Westminster decision.”

Committee Action: H.Res. 721 was introduced on October 9, 2007, and referred to the Committee on Education and Labor, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

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H.R. 3776 — Energy Storage Technology Advancement Act of 2007 (*Gordon, D-TN*)

Order of Business: H.R. 3776 scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3776 would “provide for a research, development, and demonstration program by the Secretary of Energy to support the ability of the United States to remain globally competitive in energy storage systems for vehicles, stationary applications, and electricity transmission and distribution.”

Basic Research Program: Requires the Secretary of the Department of Energy (Secretary) to conduct a “basic research program to support the development of energy storage systems for vehicles, stationary applications, and electricity transmission and distribution, including research on: materials design; materials synthesis and characterization; electrolytes; surface and interface dynamics; modeling and simulation; and thermal behavior and life degradation mechanisms.”

Authorizes \$50,000,000 for each of the fiscal years 2009 through 2014 to carry out this “basic research program”.

Applied Research Program: Requires that the Secretary conducts an applied research program on energy storage systems to support vehicle, stationary application, and electricity transmission and distribution technologies, including research on: “ultracapacitors; flywheels; batteries and battery systems (including flow batteries); compressed air energy systems; power conditioning electronics; manufacturing technologies for energy storage systems; and thermal management systems.”

Authorizes \$80,000,000 for each of the fiscal years 2009 through 2014 to carry out this “applied research program”.

Energy Storage Systems Demonstrations: Requires that the Secretary carry out six new demonstrations of advanced energy storage systems. Requires that these demonstrations be “regionally diversified and expand on the Department’s existing technology demonstration program.” Requires that the demonstrations include the participation of a range of stakeholders, “including rural electric cooperatives, investor owned utilities, municipally owned electric

utilities, energy storage systems manufacturers, vehicle manufacturers, the renewable energy production industry, State or local energy offices, the fuel cell industry, and universities.” Lists the following objectives to be included in at least one of the technology demonstrations:

- “Energy storage to improve the feasibility of ‘micro-grids’ or ‘islanding’, or the transmission and distribution capability to improve reliability in rural areas;
- “Integration of an energy storage system with self-healing circuits;
- “Use of energy storage to improve security to emergency response infrastructure;
- “Integration with a renewable energy production source, either at the source or away from the source;
- “Use of energy storage to provide ancillary services, such as frequency response or spinning reserve services, for grid management;
- “Advancement of power conversion systems to make them smarter, more efficient, able to communicate with other inverters, and able to control voltage;
- “Use of energy storage to optimize transmission and distribution operation and power quality, which could address overloaded lines and maintenance of transformers and substations;
- “Use of advanced energy storage for peak shaving of homes, businesses, or grid; and
- “Use of energy storage devices such as plug-in hybrid vehicles to fill up the night time valley for electricity demand to make better use of existing grid assets.”

Authorizes such sums as may be necessary for each of the fiscal years 2009 through 2014 for this section.

Vehicle Energy Storage Demonstration: Requires that the Secretary carry out a program of vehicle energy storage technology demonstrations. These technology demonstrations must be “conducted through consortia, which may include energy storage systems manufacturers and their suppliers, vehicle manufacturers, rural electric cooperatives, investor owned utilities, municipal and rural electric utilities, State and local governments, metropolitan transportation authorities, and universities.” Requires that the program demonstrate one or more of the following:

- “Novel, high capacity, high efficiency energy storage, charging, and control systems, along with the collection of data on performance characteristics such as battery life, energy storage capacity, and power delivery capacity;
- “Advanced onboard energy management systems, highly efficient battery cooling systems;
- “Integration of such systems on a prototype vehicular platform;
- “New technologies and processes that reduce manufacturing costs; and
- “Integration of advanced vehicle technologies with electricity distribution system and smart metering technology.”

Authorizes such sums as may be necessary for each of the fiscal years 2009 through 2014 for this section.

Requires that H.R. 3776 be carried out in compliance with section 988 (a) through (d) of the Energy Policy Act of 2005 (42 U.S.C. 16352(a) through (d)).

Committee Action: H.R. 3564 was introduced on October 9, 2007, and referred to the Committee on Science and Technology. The Subcommittee on Energy and Environment held a mark-up of the bill on October 10, 2007, and on October 16, 2007, the full Committee held a markup and reported the bill by voice vote.

Possible Conservative Concern: Some conservatives may be concerned that H.R. 3776 authorizes a new program at the DOE as well as authorizing at least \$195 million a year over the FY 2009-2014 period for the DOE's energy storage research activities. Some conservatives may be concerned that such an expenditure should not come under a suspension vote.

Cost to Taxpayers: According to a CBO estimate, implementing H.R. 3776 would cost \$638 million over the 2008-2012 period and about \$530 million after 2012.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: No Committee Report exists.

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H.Res. 751 — Supporting the goals and ideals of National Chemistry Week (Reyes, D-TX)

Order of Business: H.Res. 751 is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 751 would resolve that the House of Representatives:

- “recognizes that the important contributions of chemical scientists and engineers to technological progress and the health of many industries have created new jobs, boosted economic growth, and improved the Nation’s health and standard of living;
- “recognizes the need to increase the number of Americans from under represented groups participating in science and technology fields like chemistry;
- “supports the goals of National Chemistry Week as founded by the American Chemical Society; and
- “encourages the people of the United States to observe National Chemistry Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of chemistry to our everyday lives.”

The resolution lists several findings, including:

- “chemistry is a vitally important field of science and technology that has transformed the world and enhanced and improved the quality of life around the globe;

- “the power of the chemical sciences has created the enabling infrastructure that delivers the foods, fuels, medicines and materials that are the hallmarks of modern life;
- “the contributions of chemical scientists and engineers are central to technological progress and to the health of many industries, including the chemical, pharmaceutical, electronics, agricultural, automotive, and aerospace sectors, and these contributions boost economic growth, create new jobs, and improve our health and standard of living;
- “the American Chemical Society, the world’s largest scientific society, founded National Chemistry Week in 1987 to educate the public, particularly school age children, about the important role of chemistry in society and to enhance the appreciation of the chemical sciences;
- “this year marks the 20th anniversary of National Chemistry Week;
- “in order to ensure our Nation’s global competitiveness, our schools must cultivate the finest scientists, engineers, and technicians from every background and neighborhood in our society to create the innovations of tomorrow that will keep our Nation strong; and
- “a disproportionately low number of minority, underprivileged female students are pursuing careers in science and technology, and it is crucial that we focus attention on increasing the participation of these under represented groups in science and technology fields.

Committee Action: H.Res. 751 was introduced on October 16, 2007, and referred to the Committee on Science and Technology, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

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H.R. 3775 — Industrial Energy Efficiency Research and Development Act of 2007 (*Lampson, D-TX*)

Order of Business: H.R. 3775 is scheduled to be considered on Monday, October 22, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3775 would create a new program within the Department of Energy (DOE) to “support research and development of new industrial processes and technologies that optimize energy efficiency and environmental performance, utilize diverse sources of energy, and increase economic competitiveness.”

H.R. 3775 lists the following findings:

- “According to the Energy Information Administration’s 2006 Annual Energy Review, the industrial sector in 2006 accounted for more energy use (32 percent) than the residential (21 percent), commercial (18 percent), or transportation sector (29 percent).
- “The Department of Energy has demonstrated the success of public-private partnerships to research, develop, and deploy new energy efficient technologies which reduce emissions and improve manufacturing competitiveness.
- “Innovations in manufacturing processes may be translated into efficiency improvements in buildings, transportation, and other economic sectors.
- “While past public-private partnerships have resulted in significant energy efficiency improvements in manufacturing processes, there is a need for new technologies to achieve continual energy efficiency improvements.
- “Innovations made in the last few decades assisted the United States in remaining competitive in the global market. Continued innovation in the areas of energy efficiency and feedstock diversification are necessary to enable the United States to maintain a competitive edge.
- “The Department of Energy should continue collaborative efforts with industry, particularly the manufacturing sector, to broaden and accelerate the high-risk research and development of new manufacturing processes that optimize energy efficiency and utilize diverse sources of energy.
- “These partnerships support critical research and development capabilities at universities and other research institutions while training engineers in critical areas of energy systems and efficient industrial process technologies.”

Industrial Technologies Program: Requires that the Secretary of Energy (Secretary) “establish a program, in cooperation with energy-intensive industries, industry trade associations representing such industries, and institutions of higher education, to conduct research, development, demonstration, and commercial application activities with respect to new industrial and commercial processes, technologies, and methods to achieve substantial improvements in energy efficiency and environmental performance improvements such as waste reduction, emissions reductions, and more efficient water use.” In addition, it is the purpose of the program to enhance the economic competitiveness of the United States industrial sector.

H.R. 3775 lists the following activities for the enhancement program:

- “activities to support the development and use of technologies and processes that improve the quality and quantity of feedstocks recovered or recycled from process and waste streams;
- “research to meet manufacturing feedstock requirements with alternative resources;
- “research to develop and demonstrate technologies and processes that utilize alternative energy sources to supply heat, power, and new feedstocks for energy-intensive industries;
- “research to achieve energy efficiency in steam, power, control system, and process heat technologies, and in other manufacturing processes; and
- “a program to fund research, development, and demonstration relating to inventors’ and small companies’ technology proposals, based on energy savings potential, commercial viability, and technical merit.”

H.R. 3775 authorizes the Secretary to make grants, contracts, and cooperative agreements to provide for financial assistance for the program. According to H.R. 3775, all such financial assistance will be subject to cost sharing as required under applicable Federal law.

In addition, H.R. 3775 grants the Secretary the authority to award competitive awards to be made on a competitive, merit-reviewed basis.

H.R. 3775 also stipulates that the Secretary must work to ensure that efforts under this section are not duplicative of other federal agency programs.

University-Based Industrial Research and Assessment Centers: Authorizes the Secretary to provide funding to university-based industrial research and assessment centers, whose purpose can be any of the following:

- “to identify opportunities for optimizing energy efficiency and environmental performance;
- “to promote application of emerging concepts and technologies in small and medium-sized manufacturers;
- “to promote the research and development for usage of alternative energy sources to supply heat, power, and new feedstocks for energy intensive industries;
- “to coordinate with appropriate State research offices, and provide a clearinghouse for industrial process and energy efficiency technical assistance resources; and
- “to coordinate with State-accredited technical training centers and community colleges, while ensuring appropriate services to all regions of the United States.”

Authorizes \$150,000,000 for each of the fiscal years 2009 through 2013 for the above programs and grants.

Committee Action: H.R. 3564 was introduced on October 9, 2007, and referred to the Committee on Science and Technology. The Subcommittee on Energy and Environment held a mark-up of the bill on October 10, 2007, and on October 16, 2007, the full Committee held a markup and reported the bill by voice vote.

Possible Conservative Concern: Some conservatives may be concerned that H.R. 3775 authorizes a new program at the DOE as well as authorizes at least \$150 million a year over the FY 2009-2013 period for such a program. Some conservatives may be concerned that H.R. 3775 would provide funding to university-based industrial research and assessment centers, funding that should come from the university and not the federal government. Some conservatives may also be concerned that such an expenditure should not come under a suspension vote.

Cost to Taxpayers: According to a CBO estimate, implementing H.R. 3775 would cost \$68 million in 2009 and \$489 million over the 2009-2012 period. In addition, spending of about \$260 million would occur after 2012.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Constitutional Authority: No Committee Report exists.

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